**UNITED STATES OF AMERICA**
**DEPARTMENT OF TRANSPORTATION**
**OFFICE OF THE SECRETARY**
**WASHINGTON, D.C.**

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# REPORTING OF CAUSES OF FLIGHT DELAYS AND CANCELLATIONS IN RESPONSE TO FAA'S ORDER TO REDUCE FLIGHTS AT 40 AIRPORTS DUE TO THE GOVERNMENT SHUTDOWN

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*(This notice addresses reporting of the causes of flight delays and cancellations. The commitments made by the reporting carriers in their customer service plans to mitigate passenger inconvenience for flight disruptions apply only when the flight disruption is within the control of the airline. It does not apply when the cause of the delay or cancellation is national aviation system (NAS). The requirement to refund consumers if their flight is cancelled or significantly changed and they choose not to travel or accept travel credits, vouchers, or other forms of compensation continues to apply regardless of the cause of the flight disruption.)*

The U.S. Department of Transportation (Department) requires reporting carriers[1] to collect and report the causes of airline delays in five broad categories–air carrier, NAS, extreme weather, late-arriving aircraft, and security.[2] The categories for the causes of cancellation are the same, except there is no late-arriving aircraft category.[3] Recently, the Federal Aviation Administration (FAA) announced that it is ordering airlines and other operators at 40 high traffic U.S. airports to reduce flights by 10 percent to keep the air space safe during the government shutdown.[4] The FAA Order is expected to result in the cancellation of thousands of flights. U.S. airlines must report on-time performance data for November 2025 to the Department by December 15, 2025.[5] The Department's on-time reporting regulation in 14 CFR 234.4 specifies the requirements for reporting the causes of flight delays and cancellations. Section 234.4(h)(3) provides that cancellations attributed to NAS are based on "a broad set of conditions: weather-non-extreme, airport operations, heavy traffic volume, *air traffic control* [emphasis added], etc." Similarly, section 234.4(i)(3) states that NAS delays "is

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[1] Reporting carriers for calendar year 2025 are as follows: Alaska Airlines, Allegiant Air, American Airlines, Delta Air Lines, Envoy Air, Frontier Airlines, Hawaiian Airlines, JetBlue Airways, PSA Airlines, Republic Airways, SkyWest Airlines, Southwest Airlines, Spirit Airlines, and United Airlines. *See* 14 CFR 234.2; Technical Reporting Directive #39 – Reporting Air Carriers for Calendar Year 2025, Bureau of Transportation Statistics (December 3, 2024).

[2] 14 CFR 234.4(a)(17) to (a)(21); 14 CFR 234.4(i).

[3] 14 CFR 234.4(a)(16); 14 CFR 234.4(h).

[4] See Federal Aviation Administration Emergency Order Establishing Operating Limitations on the Use of Navigable Airspace.

[5] 14 CFR 234.5.

used to refer to a broad set of conditions: weather-non-extreme, airport operations, heavy traffic volume, *air traffic control* [emphasis added], etc." Section 234.4(h)(3) and 234.4(i)(4) clearly intend for cancellations and delays related to air traffic control related reasons to be attributed to NAS for reporting purposes.

Applying these principles, it would be acceptable for airlines to attribute cancellations and delays to the NAS category for their management of system capacity related to implementation of the FAA Order to reduce capacity. Because the system impacts of the FAA Order could be broad, the Department would expect airlines to consider whether the cancellation or delay would have occurred but for the actions taken to implement the FAA Order. In addition, if the cancellation or delay is attributable to another more specific cause (*i.e.*, Air Carrier, Late Arriving Aircraft, Security), the Department would expect airlines to use that category.

This notice represents guidance and is not meant to bind the airlines in any way. It will not be relied upon by the Department as a separate basis for affirmative enforcement action or other administrative penalty. It is intended only to provide clarity of existing legal requirements.

Questions regarding this notice may be addressed to the Office of Aviation Consumer Protection (C-70), U.S. Department of Transportation, 1200 New Jersey Avenue, S.E., Washington, D.C. 20590. You may also send questions regarding this notice by email at C70Notice@dot.gov.

By:

Blane A. Workie
Assistant General Counsel
Office of Aviation Consumer Protection
U.S. Department of Transportation

Rolf Schmitt
Deputy Director
Bureau of Transportation Statistics
U.S. Department of Transportation

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